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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,984	05/08/2007	William Finck	UDL-132	3990
36822 7590 05/10/2011 GORDON & JACOBSON, P.C. 60 LONG RIDGE ROAD SUITE 407 STAMFORD, CT 06902				
EXAMINER				
OSILE, MARK A				
ART UNIT		PAPER NUMBER		
1745				
MAIL DATE		DELIVERY MODE		
05/10/2011		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/596,984

**Applicant(s)**

FINCK, WILLIAM

**Examiner**

Mark A. Osele

**Art Unit**

1745

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on April 15, 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,5-7 and 9-34 is/are pending in the application.
- 4a) Of the above claim(s) 9-33 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-7 and 34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-945)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3, 5-7, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by WIPO Publication WO 2004/103747 (Ericson) in view of WIPO Publication WO 2004/014678 (Jensen et al.). Ericson shows a winder unit for use with a cutting wire in cutting out a vehicle glazing panel comprising: mounting means, 5, 6, for mounting the winder unit on the glazing panel; first and second winder spools, 16, 17, for winding the cutting wire, 15; and at least one wire wrap around guide element, 11, 12, spaced from at least one of the winder spools and the mounting means. In this case, Ericson shows the wire wrap around guide to be spaced from the winder spools (See Figs. 1A, 1B, 2B) but fails to show the guide elements to also be spaced from the mounting means.

Jensen et al. shows a winder unit for use with a cutting wire in cutting out a vehicle glazing panel wherein a pair of wire wrap around guide wheels, 20 (column 8, lines 15-17), are spaced from both the winder spool, 16, and the mounting means, 24 (See Fig. 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to locate the wire wrap around guides of Ericson spaced apart from the mounting means because Jensen et al. shows this to be a functionally equivalent mechanical design. Furthermore, It would have been obvious to one of ordinary skill in

the art at the time of the invention to make the guide elements wheels, such as shown by Jensen et al., to afford greater mobility for the cutting wire.

Regarding claim 3, Ericson shows the winder spools arranged in a side by side arrangement and a respective guide pulley positioned outwardly of each respective winder spool (Fig. 1A).

Regarding claims 5-6, Ericson shows the winder spools to include a ratchet arrangement enabling spool rotation in a first rotation and inhibiting spool rotation in an opposed second direction. Ericson further shows the ratchet arrangement to be releasable to permit spool rotation in both directions (Page 5, lines 5-9).

Regarding claim 7, Ericson shows the mounting means comprises a suction mount, 7, 8 (page 4, lines 20-24).

Regarding claim 34, in a second arrangement Jensen additionally shows the apparatus includes a guide arrangement including mounting means, 24, a wire wrap around guide, 28, positioned away from the mounting means, and a pair of positioning limbs, 22, extending from the mount at an apex defined by proximal ends of the limbs, each said limb carrying at its apex either an additional mounting means, 24, or a wire wrap around guide, 28. It would have been obvious to one of ordinary skill in the art at the time of the invention to add the guide arrangement of Jensen into the apparatus of Ericson because this guide arrangement can be used to create an optimum peeling angle without needing to create or take in slack which would be required of moving the wind up spool and can locate guide elements in locations that would be inconvenient for placing a mounting element. In addition, one of ordinary skill in the art would have

realized that adding a second guide element, similar to the arrangement of Ericson, provides further flexibility for using the apparatus.

### ***Response to Arguments***

3. Applicant's arguments with respect to claims 1, 3, 5-7, and 34 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A. Osele whose telephone number is 571-272-1235. The examiner can normally be reached on M-F 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Tucker can be reached on 571-272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark A Osele/  
Primary Examiner, Art Unit 1745  
May 7, 2011